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Date: August 16, 2002

TO: Name: Examiner P. Kathryn Bex
Group 1743

Company: U.S. Patent & Trademark Office

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Comments: Please see attached re: 09/156,952.

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PATENT
Attorney Docket No. CYM-025
(2174/29)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Ostgaard et al.
SERIAL NO.: 09/156,952 GROUP NO.: 1743
FILING DATE: 18-Sep-98 EXAMINER: P. Kathryn Bex
TITLE: SAMPLE VIAL FOR USE IN PREPARING CYTOLOGICAL
SPECIMEN

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and any documents referred to as attached hereto are being transmitted to the United States Patent and Trademark Office, Facsimile No. (703) 872-9310 on this 16th day of August, 2002.


Brian M. Gaff

Attached are:

1. Transmittal Form (1 pg.); and
2. Amendment and Response (8 pgs.).

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TRANSMITTAL FORM

Application Serial Number	09/156,952
Filing Date	18-Sep-98
First Named Inventor	Ostgaard
Group Art Unit	1743
Examiner Name	P. Kathryn Bex
Attorney Docket No.	CYM-025
BATCH NO. (after allowance)	N/A
Patent No.	N/A
Issue Date	N/A

ENCLOSURES (check all that apply)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Ostgaard et al.
 SERIAL NO.: 09/156,952 ✓ GROUP NO.: 1743 ✓
 FILING DATE: 18-Sep-98 ✓ EXAMINER: P. Kathryn Bex ✓
 TITLE: *Sample Vial for Use in Preparing Cytological Specimen* ✓

Box Non-Fee Amendment
 Commissioner for Patents
 Washington, DC 20231

AMENDMENT AND RESPONSE

In reply to the Office Action, Paper No. 29, mailed from the U.S. Patent and Trademark Office on June 5, 2002, for which the period of response is set to expire on September 5, 2002, Applicants respectfully request entry of this Amendment and Response.

Please amend the above-identified patent application as follows, without prejudice. In accordance with 37 C.F.R. § 1.121, attached to the end of this Amendment is a marked up version of the amended items showing all changes relative to the previous version.

IN THE CLAIMS:

Please amend the claims to read as follows:

1. (Seven times amended) A sample vial for use in an automated test apparatus, the sample vial comprising:

a body comprising an outer surface, an open end, a closed end, and at least one anti-rotation lug about said body outer surface, the anti-rotation lug comprising a generally flat, longitudinally disposed surface extending radially outwardly from said body outer surface, the longitudinally disposed surface comprising a lowermost edge that is substantially perpendicular to said body

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